



AGENDA
PURCELLVILLE TOWN COUNCIL MEETING
APRIL 11, 2017, 7:00 PM
TOWN HALL COUNCIL CHAMBERS

- 1. CALL TO ORDER OF REGULAR MEETING** (Mayor Fraser)
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION** (Mayor Fraser)
- 4. SUMMARY OF MOTIONS** (*provided separately*)
- 5. AGENDA AMENDMENTS/APPROVAL** (Town Council and Staff)
- 6. PROCLAMATIONS/RECOGNITIONS**
 - a. Chuck Izzo, Former EDAC Member
 - b. Daniel Abramson, Former EDAC Member
- 7. PUBLIC HEARINGS**
 - a. None
- 8. PRESENTATIONS**
 - a. None
- 9. STANDING COMMITTEE/COMMISSION/BOARD REPORTS**
 - a. Planning Commission (Theresa Stein, Chairman/K. Grim, Council Liaison)
 - b. Purcellville Arts Council (Liz Jarvis, Chair/D. McCollum, Council Liaison)
 - c. Board of Architectural Review (Pat Giglio, Chairman/N. Ogelman, Council Liaison)
 - d. Parks and Recreation Advisory Board (Eamon Coy, Chairman/R. Cool, Council Liaison)
 - e. Economic Development Advisory Committee (Herbert Browning, Chairman/Chris Bledsoe, Council Liaison)
 - f. Tree and Environment Sustainability Committee (Craig Greco, Chairman/K. Jimmerson, Council Liaison)
- 10. CITIZEN/BUSINESS COMMENTS**

(*All citizens who wish to speak will be given an opportunity. Limits will be imposed on all speakers. All speakers should sign up prior to speaking. Town residents will be given the first opportunity to speak.*)
- 11. MAYOR AND COUNCIL COMMENTS**

12. DISCUSSION/INFORMATION ITEMS

- a. Update on Consolidation of Tax Billing and Collections with Loudoun County Treasurer's Office (D. Davis) (*Information forthcoming in a supplemental agenda*)
- b. Outdoor Storage and Required Screening (P. Sullivan) (pgs. 3-7)

13. ACTION ITEMS

- a. Adoption of 2017 Tax Rate Ordinance* (L. Krens) (pgs. 9-18) (Motion pg. 13)
- b. Allocation of Proceeds from the Sale of 781 S. 20th Street (Mary's House of Hope)* (R. Lohr/L. Krens/T. Angus) (pgs. 19-23) (Motion pg. 20)
- c. VDOT Programmatic Project Administration Agreement (PPAA) for Revenue Sharing Projects: Extension Addendum and Resolution Affirming Locality Funding* (A. Vanegas) (pgs. 25-28) (Motion pg. 26)
- d. Nature Park Well Budget Adjustment* (A. Vanegas) (pgs. 29-34) (Motion pg. 31)
- e. Timbers Sales Contract* (A. Vanegas) (pgs. 35-37) (Motion pg. 37)
- f. Formation of Town Council Subcommittee to Recommend a Policy Concerning Recreational Access to the Town's Reservoir Property* (S. Hankins) (pgs. 39-42) (Motion pg. 41)

14. DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS / RECOGNITION

- a. Monarch Mayor's Pledge (Council member Bledsoe) (pgs. 43-47)

15. APPROVAL OF MINUTES (pgs. 49-67)

- a. March 22, 2017 Town Council Special Meeting/Budget Work Session
- b. March 28, 2017 Town Council Regular Meeting

16. CLOSED MEETING* (pgs. 69-72) (Motions pg. 71)

The purpose of the closed meeting is to discuss the annual performance evaluation of the Town Manager.

17. ADJOURNMENT

*Roll Call Votes

IF YOU REQUIRE ANY TYPE OF REASONABLE ACCOMMODATION AS A RESULT OF PHYSICAL, SENSORY OR MENTAL DISABILITY IN ORDER TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT DIANA HAYS, TOWN CLERK, AT 540-338-7421. THREE DAYS NOTICE IS REQUESTED.



STAFF REPORT
DISCUSSION ITEM

Item #12b

SUBJECT: Outside Storage and Required Screening

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Patrick Sullivan, Community Development

SUMMARY and RECOMMENDATIONS:

Community Development has received complaints regarding excessively messy outside storage throughout the Town's commercial areas. It brings to light that there are numerous problems with the zoning ordinance regarding outside storage and screening.

BACKGROUND:

We start with the question "Is outside storage allowed or is it prohibited?" If it is allowed are there certain standards or regulations that attach to it? The answer is yes, outside storage is defined as an accessory use; therefore it is an allowed use. Accessory uses are an allowed use in all zoning districts. The regulations that attach to it are requirements that all outside storage be screened from public view by an opaque screen.

What are the problems?

Problem 1. Those businesses that utilize outside storage do not normally apply for and receive a permit to have the outside storage. Also, they seldom screen the storage area as required by the zoning ordinance. The zoning ordinance is clear: Outside storage must be screened from public view and it must get a permit. This presents a big problem because retail businesses that have outside storage need to have their products visible and not behind a screen. Outside storage can be unsightly.

Problem 2. Sea or shipping containers are placed on commercial properties without permits. They are unsightly and ungainly. There is seldom adequate area to place the container so that it is not seen from the road. They are often rusty and dented. They are a cheap means of extra storage and look it. Containers are an accessory use and are allowed in all districts.

Problem 3. Trailers/vans are often used as extra storage on commercial sites. They tend to look out of place and generally need maintenance work. They are often not properly licensed as a trailer.

Problem 4. Chain link fences with privacy slats are the preferred method to screen outside storage. This type of screen is not aesthetically pleasing. The present ordinance does not prohibit chain link fences with privacy slats. Since most of the present outside storage is not screened, enforcement action could result in a lot more chain link fences being erected unless there is a change to the ordinance.

ISSUES AND DISCUSSION POINTS:

1. **Outside storage.** Where should it be permitted? How should it be defined? How should it be enforced? Should the regulations cover both commercial and residential areas? Should we define different types of outside storage? Our present regulations do not provide for outside storage for retail use such as It's Bizarre, Relovit, Harris Teeter, Giant, Browning equipment, etc.
2. **Sea/shipping containers.** These are portable 8' x 40' metal containers used for outside storage. What zoning districts should they be permitted in? Should containers be considered outside storage? Where on the lot should they be allowed? Should they be repainted? Should they be reviewed by the BAR? They are presently in violation of the zoning ordinance because they are an accessory use that requires a zoning permit. Only one container in the Town has been properly permitted.
3. **Screening.** Should all outside storage be screened from public view? What type of screening should be required?
4. **Consistency.** There should be a fair and even handed approach to enforcing the issues surrounding outside storage. Any business or residential property that is in violation of the ordinance will have to be cited irrespective of the size or amount, placement, or length of time as a use.
7. **Outside storage as a necessity.** There are numerous businesses that need outside storage as it is an integral part of their business (farm and garden supply, lawn mowers, lumber yards, bicycles, etc.). As the zoning regulations now read there is nothing that separates these uses from otherwise unsightly uses. A potential fix here is to exempt outside commercial display of retail goods.
5. **Chain Link Fencing.** Where should chain link fence be permitted? Are privacy slats or cloth screening sufficient to meet the standard of an opaque screen?
6. **Number of violations.** Upon further research it came to my attention that there were more violators than was originally thought. 48 commercial sites have been found to be in violation. Most likely many of those cited will not respond and will require a court hearing to get them to comply. This will take time and money.

POTENTIAL SOLUTIONS:

1. **Enforcement process.** In order to be consistent and fair we could divide the Town into sections and systematically work through each section, one area at a time, citing any business or property that is not in compliance with the code until every area has been covered. This could be initiated immediately. We could start with the east end of Main Street and stop at Maple Avenue. That could be followed with a section from Maple Avenue to Hatcher. We could send a notice to all the businesses in these areas that we will be working to bring businesses into compliance over the next few months and to expect a citation if they have unpermitted outside storage and/or containers. Unfortunately this will not solve the problem of retail display of goods.
2. **Zoning Ordinance changes.** There are a variety of changes that could be put in place to address the above issues. Such as: 1) prohibit outdoor storage in certain districts, 2) exempt outside storage of retail goods that are for sale, 3) exempt certain materials that are normally stored outside (bikes, tractors, etc.), 4) prohibit storage containers in certain districts, 5) prohibit chain link fences in certain

districts, 6) require significant landscaping alongside chain link fences, 7) require a Special Use Permit in certain districts such as MC and C4, 8) Council could direct the Planning Commission to review and come up with some solutions as to how to amend the ordinance.

BUDGET IMPACT:

None

MOTION(S):

Discussion item only.

EXAMPLES:



Nichols



Sports Pavilion



Rite Aid



Fireworks Company



Browning



Giant



Its Bazaar



Velo Bike Shop

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STAFF REPORT
ACTION ITEM

Item #13a

SUBJECT: Adoption of 2017 Tax Rate Ordinance

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Elizabeth Krens, Director of Finance
Connie LeMarr, Assistant Director of Finance

SUMMARY and RECOMMENDATIONS:

The purpose of this item is for Town Council to adopt the 2017 Tax Rate Ordinance #17-04-01 (**Attachment 1**), so spring tax bills can be mailed in early May. As property taxes are based on a calendar year, the tax rate ordinance is effective as of January 1 each year. Relevant discussions occurred during budget work sessions on March 22, March 30 and April 4, 2017.

The following chart provides and overview of the various tax rates included in the Proposed FY18 Budget and the 2017 Tax Rate ordinance:

See Chart on Following Page

Tax Type	2016 Tax Rate*	Town Manager Proposed Budget Tax Rate for 2017*	Maximum Rate*
Real Property	\$0.22	\$0.22	\$0.24
Fireman's Field Service District Tax	\$0.035	\$0.035	\$0.035
Personal Property - Vehicles	\$1.05	\$1.05	\$1.05
Personal Property – Vehicles (Special rate on qualified vehicles for qualified Fire & Rescue volunteers)	\$0.01	\$0.01	\$0.01
Tax Relief on first \$20,000 for Qualified Vehicles	41.5%	TBD [supplemental agenda to be issued]	n/a
Personal Property- Used In Business	\$0.55	\$0.55	\$0.55

*All property tax rates are per \$100 of assessed value.

BACKGROUND- Additional information regarding each tax type is provided in the next sections:

REAL PROPERTY TAX:

In late January, staff received the 2017 Assessment Summary (**Attachment 2**) of real property from Loudoun County's Office of the Commissioner of the Revenue. Using this data, staff prepared the Real Property Tax Revenues Estimate and Equalized Tax Rate Calculation (**Attachment 3**) in order to develop the FY18 Budget, advertise the real property tax rate public hearing and provide Town Council the information needed to set the 2017 real estate tax rate. The County Assessor's forecast for Purcellville shows a 3.16% increase in assessments for existing properties and a 2.26% increase in assessments for new construction/growth. When these assessments are combined, the Town's total increase in real property assessments is 5.42%. The equalized tax rate (tax rate which would levy the same real property tax revenue as the Town levied the prior year for existing properties) is \$0.213.

No change is proposed to the Town's real property tax rate of \$0.22 in the FY18 Budget. A public hearing was held on March 14, 2017 and the public notice advertised a maximum rate of \$0.24 in order to provide Council flexibility during the budget deliberation process. This tax will be included on the real property tax bill due June 5th and December 5th.

FIREMAN'S FIELD SERVICE DISTRICT TAX:

In July 2011, Town Council adopted Ordinance No. 11-07-02, creating the Fireman's Field Service Tax District (see Town Code Chapter 74, Article VIII). The purpose of this district is to provide funds for the preservation of the historic property known as Fireman's Field; construction, installation, operation and maintenance related to parks, recreational and cultural properties; sidewalks; beautification and landscaping; public parking; economic development services; and security, sponsorship and promotion of recreational and cultural activities. The boundaries of this service tax district are the territorial limits of the Town of Purcellville.

No change is proposed to the Town's Fireman's Field tax rate of \$0.035 in the FY18 Budget. This special assessment is based on the real property tax assessment and, under our tax system, will be included on the real property tax bill due June 5th and December 5th.

TANGIBLE PERSONAL PROPERTY TAX FOR VEHICLES:

No change is proposed to the Town's tangible personal property tax rate of \$1.05 in the FY18 Budget. This tax will be included on the personal property tax bill due June 5th.

Qualified vehicles of fire and rescue volunteers, who are themselves qualified under Loudoun County's "Length of Service Annuity Program," are proposed to be taxed at a reduced rate of \$0.01.

In accordance with Virginia Code §58.1-3523 et seq, the State has set the Town of Purcellville's share of car tax relief at \$201,753.34 for 2006 and thereafter. The Town must calculate the pro rata tax relief percentage this revenue provides to qualified vehicles. The Personal Property Tax Relief Calculation (**Attachment 4 – To Be Provided in Supplemental Agenda**) details actual 2017 Loudoun County Commissioner of the Revenue's assessment data for qualified vehicles and the calculation of the reduced rate of relief. The reduced relief rate for 2017 equates to **[TBD] % [Supplemental Agenda to be Issued]** of the qualified vehicle's tax amount up to \$20,000 in assessed value. This percentage of relief is not modifiable.

TANGIBLE PERSONAL PROPERTY TAX FOR BUSINESS PROPERTY:

No change is proposed in the FY18 Budget to the Town's tax rate of \$0.55 for tangible personal property used in business. This tax will be included on the personal property tax bill due June 5th.

ISSUES:

In order to allow ample time for staff to prepare and mail property tax bills by early May, staff requests Town Council approve the 2017 Tax Rate Ordinance #17-04-01 (**Attachment 1**) during the April 11, 2017 Council Meeting. The spring tax bills are due on or before June 5, 2017.

BUDGET IMPACT:

The budget impact of this decision will affect FY17 and FY18 General Fund and Special Parks and Recreation Fund revenue. The Proposed FY18 Budget projects the following revenue for the recommended tax rates:

Tax Type	FY17 Revenue	FY18 Revenue
Real Property	\$2,679,407	\$2,732,995
Fireman's Field	\$426,128	\$434,651
Personal Property	\$424,249	\$432,734

See Motions on Following Page

MOTION(S):

Adopt Ordinance as Drafted

"I move that the Town Council adopt Ordinance No. 17-04-01, establishing for calendar year 2017 the real estate tax rate, the tangible personal property tax rate, the tangible personal property tax relief rate, and the Fireman's Field Service District Tax Rate."

Or

Adopt Ordinance with the Changes:

"I move that the Town Council adopt Ordinance No. 17-04-01, establishing for calendar year 2017 the real estate tax rate, the tangible personal property tax rate, the tangible personal property tax relief rate, and the Fireman's Field Service District Tax Rate, subject to the following rate changes:

- a. Real Property, Ordinance Section I:
Change the tax rate from \$0.22 per \$100 to \$____ per \$100 of assessed valuation
- b. General Vehicle Personal Property, Ordinance Section II.a.:
Change the tax rate from \$1.05 per \$100 to \$____ per \$100 of assessed valuation
- c. Non-Vehicular Business Personal Property, Ordinance Section II.b.:
Change the tax rate from \$0.55 per \$100 to \$____ per \$100 of assessed valuation
- d. Volunteer Vehicle Personal Property, Ordinance Section II.c.:
Change the tax rate from \$0.01 per \$100 to \$____ per \$100 of assessed valuation
- e. Fireman's Field Service District Tax, Ordinance Section IV:
Change the tax rate from \$0.035 per \$100 to \$____ per \$100 of assessed valuation."

ATTACHMENT(S):

- 1. Proposed Ordinance No. 17-04-01
- 2. Real Property 2017 Assessment Summary
- 3. Real Property Tax Revenues Estimate and Equalized Tax Rate Calculation
- 4. Personal Property Tax Relief Calculation

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

ORDINANCE NO. 17-04-01

PRESENTED: April 11, 2017
ADOPTED: _____

AN ORDINANCE: ESTABLISHING FOR CALENDAR YEAR 2017 THE REAL ESTATE TAX RATE, THE PERSONAL PROPERTY TAX RATE, THE PERSONAL PROPERTY TAX RELIEF RATE, AND THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE; REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; ESTABLISHING SEVERABILITY AND SAVINGS CLAUSES; ESTABLISHING EFFECTIVE DATE

WHEREAS, Virginia Code § 58.1-3201 and Town Code Chapter 74 (Taxation), Article I (General), Section 74-1 (Annual levy; rate of taxes) authorize the Town of Purcellville, Virginia to levy and collect taxes on real estate; and

WHEREAS, Virginia Code § 58.1-3500 and Town Code Chapter 74 (Taxation), Article I (General), Section 74-1 (Annual levy; rate of taxes) authorize the Town of Purcellville, Virginia to levy and collect taxes on all tangible personal property, except household goods and effects, subject to certain conditions as provided by law; and

WHEREAS, Virginia Code § 58.1-3524 authorizes the Town to provide tangible personal property tax relief on qualifying vehicles; and

WHEREAS, Virginia Code § 15.2-2403 and Town Code Chapter 74 (Taxation), Article VIII (Fireman's Field Service Tax District), Section 74-232 authorize the Town of Purcellville, Virginia to levy and collect taxes on property located within the Fireman's Field Service Tax District ("District") in the same manner as the Town may establish other Town property taxes; and

WHEREAS, the tax rates applicable to real property, personal property, and the Fireman's Field service district, are effective on a calendar-year basis, but are generally established in April of each calendar year, after the real property assessment data has been compiled by Loudoun County and transmitted to the Town for use in estimating Town tax revenues and budgeting.

NOW THEREFORE, the Council of the Town of Purcellville, Virginia hereby ordains:

SECTION I. Real Property. That the calendar year 2017 tax rate on real estate is hereby established to be \$0.22 per \$100 of assessed value.

AN ORDINANCE: ESTABLISHING FOR CALENDAR YEAR 2017 THE REAL ESTATE TAX RATE, THE PERSONAL PROPERTY TAX RATE, THE PERSONAL PROPERTY TAX RELIEF RATE, AND THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE; REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; ESTABLISHING SEVERABILITY AND SAVINGS CLAUSES; ESTABLISHING EFFECTIVE DATE

SECTION II. Tangible Personal Property. That the calendar year 2017 tax rate on tangible personal property is hereby established to be:

- a. \$1.05 per \$100 of assessed value for all tangible personal property identified in Va. Code § 58.1-3503(A), subsections 1 through 13, which includes vehicles; and
- b. \$0.55 per \$100 of assessed value for all non-vehicular tangible personal property that is used in business; and
- c. \$0.01 per \$100 of assessed value for the qualified tangible personal property of a qualified individual who actively serves as a volunteer member of a fire and rescue department in Loudoun County, as allowed by law.

SECTION III. Tax Relief. That tax relief shall be granted on the first \$20,000.00 of value of non-commercial vehicles qualified by law for such relief, and that such relief shall be calculated by discounting the tax obligation otherwise due on the first \$20,000 by ____%.

SECTION IV. Fireman's Field. That the calendar year 2017 tax rate on real estate located within the Fireman's Field Service Tax District is hereby established to be \$0.035 per \$100 of assessed value.

SECTION V. Repeal. That Ordinances 16-04-02 (Setting the Real Estate Tax Rate for CY2016), 16-04-03 (Setting the Fireman's Field Service District Tax Rate for CY2016), and 16-04-04 (Setting the Personal Property Tax Rate for CY2016), as well as all other prior ordinances and resolutions in conflict herewith, are hereby repealed.

SECTION VI. Severability. That if a court of competent jurisdiction deems any provision of this ordinance to be invalid, such holding shall in no way affect the validity of the remaining sections or provisions of this ordinance, which shall remain in full force and effect.

SECTION VII. Savings Clause. That all ordinances repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance. The repeal of ordinances hereunder shall not affect the authority of the Town to prosecute,

AN ORDINANCE: ESTABLISHING FOR CALENDAR YEAR 2017 THE REAL ESTATE TAX RATE, THE PERSONAL PROPERTY TAX RATE, THE PERSONAL PROPERTY TAX RELIEF RATE, AND THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE; REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; ESTABLISHING SEVERABILITY AND SAVINGS CLAUSES; ESTABLISHING EFFECTIVE DATE

punish or penalize any violation of such ordinances that occurred before the repeal hereunder takes effect.

SECTION VIII. Effective Date. That this ordinance shall be effective January 1, 2017.

PASSED THIS ____ DAY OF APRIL, 2017

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk

Purcellville-Town	2016 Assessment	2016 Parcels	Construction	Growth	Revaluation	2017 Assessment	2017 Parcels	Total Value Change	Parcel Change	Eqlzd % Change	Value % Change	Eqlzd Avg Asmnt	Average Asmnt
Class 1 - Single Family Residential (Detached)	\$748,690,360	1,781	\$11,491,133	\$438,880	\$22,807,067	\$783,427,440	1,796	\$34,737,080	15	3.05%	4.64%	\$433,182	\$436,207
Class 1 - Single Family Residential (Townhouse)	\$176,185,880	576	\$10,780,250	\$0	\$2,704,100	\$189,670,230	593	\$13,484,350	17	1.53%	7.65%	\$310,573	\$319,849
Class 1 - Single Family Residential (Condo)	\$0	-	\$0	\$0	\$0	\$0	-	\$0	0				
Class 1 - Single Family Residential (Other-includes vacant land)	\$19,390,290	513	\$0	\$144,200	\$8,155,230	\$27,689,720	472	\$8,299,430	-41	42.06%	42.80%	\$53,695	\$58,665
Class 1 Total	\$944,266,530	2870	\$22,271,383	\$583,080.00	\$33,666,397	\$1,000,787,390	2861	\$56,520,860	-9	3.57%	5.99%	\$340,743	\$349,803
Class 2 - Single Family Residential (Detached)	\$0	-	\$0	\$0	\$0	\$0	-	\$0	0				
ALL RESIDENTIAL CLASS 1 AND 2	\$944,266,530	2870	\$22,271,383	\$583,080.00	\$33,666,397	\$1,000,787,390	2861	\$56,520,860	-9	3.57%	5.99%	\$340,743	\$349,803
Class 3 - Multi Family	\$14,940,130	7	\$0	\$0	\$95,090	\$15,035,220	7	\$95,090	0	0.64%	0.64%	\$2,147,889	\$2,147,889
Class 4 - Commercial & Industrial	\$261,185,720	252	\$839,760	\$3,840,000	\$4,847,420	\$270,712,900	250	\$9,527,180	-2	1.86%	3.65%	\$1,055,687	\$1,082,852
Class 5 - Agricultural/Undeveloped (20 to 99.99 acres)	\$13,700	1	\$0	\$0	\$20	\$13,720	1	\$20	0	0.15%	0.15%	\$13,720	\$13,720
Class 6 - Agricultural/Undeveloped (more than 100 acres)	\$0	-	\$0	\$0	\$0	\$0	-	\$0	0				
TOTAL TAXABLE	\$1,220,406,080	3130	\$23,111,143	\$4,423,080	\$38,608,927	\$1,286,549,230	3119	\$66,143,150	-11	3.16%	5.42%	\$402,241	\$412,488
Class 7 - Exempt Property	\$276,269,040	73	\$0	\$25,030,200	(\$46,798,480)	254,500,760	73	(\$21,768,280)	0	-16.94%	-7.88%	\$3,143,432	\$3,486,312
TOTAL TAXABLE AND EXEMPT	\$1,496,675,120	3203	\$23,111,143	\$29,453,280	(\$8,189,553)	\$1,541,049,990	3192	\$44,374,870	-11	-0.55%	2.96%	\$464,716	\$482,785
Land Use Deferred Value (2017 Adjusted for POSE)	\$576,380	4	\$0	\$0.00	(\$12,000)	\$564,380	4	(\$12,000)	0				
ADU's (value included in Class 1)	\$0	0				\$0	0	\$0	0				

Construction - New Structures	Value of new residential and commercial structures. Year built equals 2015
Growth - New Lots	Value of newly created parcels. New parcels are created when a landowner divides one large parcel into smaller parcels. An example of this would be a new subdivision.
Revaluation	Difference between the total assessment for the current tax year and the prior tax year.
Assessment	Total Taxable value of real property, effective January 1st.
Equalized % Change	Considers the value of Loudoun County's real property without the impact of new construction and growth. It is the percent change in assessment from the previous year, including parcels which existed the prior tax year but excluding the assessed value of growth and new construction.
Value % Change	Percent change in total assessment, including the assessed value associated with growth (new parcels) and new construction.
Eqlzd AvgAsmnt	Average current tax year assessment of parcels that existed in both the prior and current tax year.
AverageAsmnt	Average assessment of all parcels in the current year, including the assessed value associated with growth (new parcels) and new construction.
*2017 Land Use Deferred	The 2017 Land Use Deferral has been adjusted to account for Perpetual Open Space Easements that are not subject to Rollback taxes, therefore, they cannot be "deferred" taxes.
2016 Assessment	Equals final taxable value as of 12/31/2016, Includes exoneratons and supplemental adjustments

TOWN OF PURCELLVILLE

TAX YEAR 2017

REAL PROPERTY TAX REVENUE ESTIMATES AND EQUALIZED TAX RATE CALCULATION

Source: 1/26/17 Loudoun County Assessor's Summary

	<u>2017</u>	<u>2016</u>	<u>\$ Change</u>	<u>% Change</u>
Assessment of Existing Property	1,259,015,007	0	Existing prop chg> 3192-total parcels Decrease of 11 parcels 3119-taxable parcels 73-exempt parcels	3.16%
New Residential Construction/Growth	22,854,463	0		
New Commercial Construction/Growth	4,679,760	0		
Total New Construction/Growth	27,534,223	0	New construct chg>	2.26%
Total Assessment	1,286,549,230	1,220,406,080	66,143,150	5.42%
Less Land Use Deferrals	564,380	576,380	(12,000)	
Less Elderly Tax Relief	31,509,840	31,509,840	0	
Total Assessment Base	1,254,475,010	1,188,319,860	66,155,150	
RE Tax (tax rate .22)	2,759,845	2,614,304	145,541	* Rev Chg
FF Svc Tax (tax rate .035)	439,066	415,912	23,154	* Rev Chg
Total Tax (tax rate .255)	3,198,911	3,030,216	168,696	
RE Revenue Change for Tax Rate Change of 1 cent			125,448	
Average Residential Assessment	349,803	326,920	22,883	
RE Revenue produced at different tax rates:				
Tax Amount (rate=.25/100)	3,136,188			
Tax Amount (rate=.24/100)	3,010,740			
Tax Amount (rate=.23/100)	2,885,293			
Tax Amount (rate=.22/100)	2,759,845	< 2016 Rate .22		
Tax Amount (rate=.213/100)	2,672,032	<Equalized Rate .213		
Tax Amount (rate=.21/100)	2,634,398			
Equalized Assessment (adj. for new construction and changes)	1,247,940,303			
Equalized RE Tax Amt (2016 rate=.22)	2,745,469	**special FF levy not included per code**		
2017 Equalized RE Tax Rate (per \$100)	0.213			
Breakdown of Residential vs. Other (MF 5+, Commercial, Ag):				
Other Assessments	285,761,840	22%		
Residential Assessments	1,000,787,390	78%		
Grand Total	1,286,549,230			



STAFF REPORT
ACTION ITEM - BUDGET AMENDMENT

Item #13b

SUBJECT: Allocation of Proceeds from the Sale of
781 South 20th Street (Mary's House of Hope)

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Robert W. Lohr, Jr., Town Manager
Elizabeth Krens, Director of Finance
Tom Angus, Budget Specialist

TITLE: Approval to Transfer Property Sale Proceeds to the Wastewater Fund

DEPARTMENT: General / Wastewater Funds	PUBLIC HEARING: YES___ NO_X__
ATTACHMENTS: 1: BA17-022 2: Resolution #17-04-03	FOR INFORMATION CONTACT: Tom Angus, 540-751-2351

SUMMARY and RECOMMENDATIONS:

The purpose of this request is to amend the FY17 Budget in order to move \$300,000 from the Town's General Fund (Proceeds from Property) to the Town's Wastewater Fund (Proceeds from Property). The \$300,000 represents monies received by the Town in January, 2017, from the sale of real property to The Good Shepherd Alliance, Inc., which property is addressed as 781 South 20th Street and is also identified as parcel number 489-38-4477.

BACKGROUND:

Town Council discussed allocation of the \$300,000 proceeds from the sale of the house located at 781 South 20th Street (known as Mary's House of Hope) at the meeting on March 28, 2017 (Item #12a). After reviewing options, Council directed staff to (1) develop a budget amendment that would transfer 100% of the sale proceeds (\$300,000) from the lot and house located at 781 South 20th Street (known as Mary's House of Hope) to the Wastewater Fund, and (2) adopt a formal resolution transferring 100% of this previous asset into the

Wastewater Fund which is a proprietary fund. Under this action, the property will be reclassified 100% Wastewater Fund.

The history of this parcel that contains Mary's House of Hope, the old Maintenance shed and the old Wastewater Treatment site goes back further than when we had detailed and itemized governmental accounting designations that exist today. Mary's House of Hope is listed as a General Fund asset and the proposed sale is reflected in the FY17 Budget as follows:

GF Revenue/Proceeds from Property	\$300,000
GF Expenditure/Contingency & Operating Reserves	\$300,000

ISSUES:

Once money is moved into a utility enterprise fund, such as the Wastewater Fund, there are likely to be legal or accounting difficulties associated with transferring such money back to the General Fund.

BUDGET IMPACT:

The budget amendment and resolution will reduce the amount of money available to the Town in the General Fund by \$300,000, and will increase the amount of money available to the Town in the Wastewater Fund by \$300,000.

MOTION(S):

"I move that Town Council approve and BA17-022 and Resolution #17-04-03 directing a transfer of \$300,000 from the General Fund (Proceeds from Property) to the Wastewater Fund (Proceeds from Property)."

ATTACHMENTS:

1. Budget Amendment Details "BA17-022"
2. Resolution 17-04-03, Directing Staff to Transfer \$300,000 from the General Fund into the Wastewater Fund

**Wastewater Fund
Mary's House of Hope
Budget Amendment 2017 - 022**

**General Fund
Revenue Side**

<u>Account #</u>	<u>Title of Revenue Account</u>	<u>Increase</u>	<u>Decrease</u>
100-3189905-0000	PROCEEDS FROM PROPERTY	0	300,000
Total Revenue		0	300,000

**General Fund
Expenditure Side**

<u>Account #</u>	<u>Title of Expenditure Account</u>	<u>Increase</u>	<u>Decrease</u>
100-4092000-0200	CONTINGENCY - OPERATING RESERVE	0	300,000
Total Expenditure		0	300,000

**Wastewater Fund
Revenue Side**

<u>Account #</u>	<u>Title of Revenue Account</u>	<u>Increase</u>	<u>Decrease</u>
502-3850000-0000	PROCEEDS FROM PROPERTY	300,000	
Total Revenue		300,000	0

**Wastewater Fund
Expenditure Side**

<u>Account #</u>	<u>Title of Expenditure Account</u>	<u>Increase</u>	<u>Decrease</u>
502-4092000-0200	CONTINGENCY - OPERATING RESERVE	300,000	
Total Expenditure		300,000	0

TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA

RESOLUTION NO. 17-04-03

PRESENTED: April 11, 2017
ADOPTED:

A RESOLUTION: DIRECTING STAFF TO TRANSFER ALL PROCEEDS FROM THE SALE OF CERTAIN REAL PROPERTY, IDENTIFIED AS 781 S. 20TH STREET, FROM THE GENERAL FUND INTO THE WASTEWATER FUND

WHEREAS, the Town owned certain real property consisting of approximately 0.3471 acres identified in the Loudoun County land records as parcel number 489-38-4477 and addressed as 781 South 20th Street, which property is subject to a Declaration of Subdivision and Easement and accompanying plat, respectively recorded in the land records of Loudoun County as Instrument Numbers 20150901-0059628 and 20150901-0059629 (the “**Property**”); and

WHEREAS, on January 18, 2017, the Town sold the Property to The Good Shepherd Alliance, Inc., a Virginia non-stock corporation, for \$300,000 (“**Proceeds**”); and

WHEREAS, it is a priority of the Town Council to pay utility fund debt, such debt currently consisting of about \$41,000,000; and

WHEREAS, the Town Council will be revising its long-range financial plan over the next two months, during which time it will examine utility debt models and options, and determine how the Proceeds should be used.

NOW THEREFORE, the Town Council hereby resolves and directs staff to transfer the \$300,000 in proceeds resulting from the sale of the Property to The Good Shepherd Alliance, out of the General Revenue Fund#100-3189905 (“Proceeds from Property”) and into the Wastewater Revenue Fund#502-3850000-0000 (“Proceeds from Property”).

**A RESOLUTION: DIRECTING STAFF TO TRANSFER ALL PROCEEDS FROM THE SALE
OF CERTAIN REAL PROPERTY, IDENTIFIED AS 781 S. 20TH STREET,
FROM THE GENERAL FUND INTO THE WASTEWATER FUND**

PASSED THIS ____ DAY OF APRIL, 2017.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk

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STAFF REPORT
ACTION ITEM

Item #13c

SUBJECT: VDOT Programmatic Project Administration Agreement (PPAA) for Revenue Sharing Projects – Extension Addendum and Resolution Affirming Locality Funding

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Alex Vanegas, CPM, Public Works Director

SUMMARY and RECOMMENDATIONS:

In FY 2014, the Virginia Department of Transportation (VDOT) began using the state-wide Programmatic Project Administration Agreement (PPAA) for Revenue Sharing projects that were funded solely with Revenue Sharing funds. This agreement was valid for three fiscal years with an option to extend this agreement for an additional three fiscal years. The Town of Purcellville entered into such an agreement with VDOT, and this agreement will expire on June 30, 2017. To continue with the current agreement, the Town must sign an extension addendum. In addition, VDOT now requires a resolution from each locality, assuring its commitment to funding projects that are part of the PPAA. Town Staff recommends Town Council approve of the extension addendum and provide VDOT with a resolution affirming commitment to fund the locality share of projects under the PPAA agreement with VDOT.

BACKGROUND:

In FY 2014, the Virginia Department of Transportation (VDOT) began using the state-wide Programmatic Project Administration Agreement (PPAA) for Revenue Sharing projects that were funded solely with revenue sharing funds. This agreement was valid for three fiscal years with an option to extend this agreement for an additional three fiscal years. The Town of Purcellville entered into such an agreement with VDOT on July 17, 2014, and this agreement will expire on June 30, 2017. The Town is required to sign an extension addendum to continue with the current agreement, and to receive funding from VDOT projects. In doing so, the PPAA will remain in effect until June 30, 2020. VDOT now also

requires each locality, by resolution, provide assurance of its commitment to fund its local share of the costs associated with projects that are part of the PPAA. Failure to sign the extension addendum and provide assurance of locality funding prior to the expiration date will result in any work on Revenue Sharing projects being ineligible for reimbursement after June 30, 2017. VDOT requests the extension addendum and resolution be submitted no later than May 9, 2017 to ensure sufficient time for executing so there is no lapse in the agreement.

ISSUES:

As noted above, failure to sign the extension addendum and provide assurance of locality funding prior to the expiration date will result in any work on Revenue Sharing projects being ineligible for reimbursement after June 30, 2017. The current projects (all in design phase) that are part of the PPAA are Nursery Avenue Drainage Improvements, Hirst Road Safety Improvements, 32nd and A Street Intersection Improvements, and Guardrail Replacement. In order to continue receiving funds from VDOT for these projects, Town Council should approve of the PPAA Extension Addendum and provide VDOT with a resolution that assures locality funding of Revenue Sharing projects.

BUDGET IMPACT:

No budget impact is associated with the approval of the extension addendum and resolution. The resolutions that were approved at the time of the submission of the Revenue Sharing applications essentially committed the Town to fund its share of the project costs.

MOTION(S):

"I move that the Town Council approve the Programmatic Project Administration Agreement Extension Addendum and adopt Resolution 17-04-01 affirming commitment to fund the Town's share of projects under agreement with VDOT and providing signature authority to the Town Manager."

ATTACHMENT:

1. Programmatic Project Administration Agreement Extension Addendum
2. Resolution 17-04-01

**PROGRAMMATIC PROJECT ADMINISTRATION AGREEMENT
EXTENSION ADDENDUM
Revenue Sharing Projects**

THIS ADDENDUM is made and executed in triplicate this ____ day of _____, 20__, by and between the Town of Purcellville, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY and the DEPARTMENT, entered into a Programmatic Project Administration Agreement for Revenue Sharing Projects on July 7, 2014; and

WHEREAS, said agreement has an initial term of three fiscal years (each year beginning July 1st - June 30th), and will expire on June 30, 2017, and may be extended for one additional term of three fiscal years; and

WHEREAS, the parties to the agreement hereby declare their intent to extend said agreement as provided in Paragraph 1 of said agreement and further declare that such terms and provisions provided therein shall remain unchanged.

NOW THEREFORE, in consideration of the mutual premises contained therein and in this Addendum, the parties agree to extend said agreement for one additional term of three fiscal years with a new expiration date of June 30, 2020.

IN WITNESS WHEREOF, each party hereto has caused this Addendum to be executed as of the day, month, and year first herein written.

TOWN OF PURCELLVILLE, VIRGINIA:

Robert W. Lohr, Jr.
Typed or printed name of signatory

Town Manager
Title

Date

Signature of Witness

Date

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this addendum.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:

Chief of Policy
Commonwealth of Virginia
Department of Transportation

Date

Signature of Witness

Date

Mayor
Kwasi A. Fraser

Council
Chris Bledsoe
Ryan J. Cool
Kelli Grim
Karen Jimmerson
Douglass J. McCollum
Nedim Ogelman



Town Manager
Robert W. Lohr, Jr.
Assistant Town Manager
Daniel C. Davis

221 S. Nursery Avenue
Purcellville, VA 20132
(540) 338-7421
Fax: (540) 338-6205
www.purcellvilleva.gov

**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION NO. 17-04-01

**PRESENTED:
ADOPTED:**

April 11, 2017

A RESOLUTION: AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PRECTS UDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY

WHEREAS, the Town of Purcellville is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

WHEREAS, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share; and

THEREFORE, BE IT RESOLVED, that the Town Council of Purcellville hereby commits to fund its local share of preliminary engineering, right-of-way, and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

BE IT FURTHER RESOLVED, that the Town Manager is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

PASSED THIS _____ DAY OF _____, 2017.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk



STAFF REPORT
ACTION ITEM

Item #13d

SUBJECT: Nature Park Well Budget Adjustment

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Alex Vanegas, CPM, Public Works Director

SUMMARY and RECOMMENDATIONS:

At the Nature Park parcel, the Town drilled two potential high yield wells in 2010. In 2013, the Town decided to only install the piping until the capacity was needed to either deal with increased demand or if needed to replace failing wells. Due to the issues identified at Hirst Farm Well #2 and the reduction of capacity by eliminating MS-5 from the Town's water supply, staff recommends proceeding with second phase of the project to place these two wells on line to augment the current capacity. Town Staff recommends proceeding with the project this spring instead waiting until the fall. The CIP sheet can be found on page 238 & 239 of the FY 2018 Budget document and is enclosed for your consideration.

BACKGROUND:

In 2010, The Town of Purcellville developed two new high-yield wells to augment our public water supply. The new wells, known as TW-1A and TW-2A, are located within the Suzanne R. Kane Nature Park property owned by the Town. The Town's consultant Tetra-Tech developed a Preliminary Engineering Report (PER) and submitted to the Virginia Department of Health (VDH) for review and approval. VDH approved the Town's plans to pump groundwater from TW-1A and TW-2A via a new pipeline to the Nature Park WTP for treatment prior to distribution.

Based on the PER and the drawdown testing it was concluded that TW-1A should be pumped at a maximum average rate of 86,400 GPD during its first year of operation with a maximum rate of approximately 120 GPM. TW-2A should be pumped at a maximum average rate of 43,200 GPD during its first year of operation with a maximum rate of approximately 60 GPM. Pumping TW-1A and TW-2A at 120 GPM and 60 GPM, respectively, for 12 hours per day will yield approximately 129,600 gallons per day.

In 2013, staff proceeded with the first phase of the Nature Park well project. This phase of work only included the connection of pipeline and electrical & communication controls from the wellhead to the treatment facility. The second phase will require the installation of the well pumps, drop pipes, meter vaults at the wellhead. In addition to the aforementioned work, pipe will need to be installed into the facility as well as improvements inside the building which will include instrumentation, chemical feed connections and filter work.

BUDGET IMPACT:

The estimated cost for engineering services is \$40,000. This includes a field survey to update existing conditions, updates to the plans and to the specifications if needed, and assistance by the engineer with bidding services. The engineering services are to be provided by Tetra Tech under the hydro-geological services basic ordering agreement. The total estimated cost for the project is \$201,066.

Staff recommends that in addition to utilize the existing \$94,000 currently assigned to the project that the remainder of the budget be funded by transferring from other water projects that are either complete or have surplus funds leftover from the Cardinal Bank Bond. As a result, the transfer of funds would be for an amount of \$107,066. This is usually an administrative function since it is a budget adjustment within the same fund but since part

of the project was approved this FY 2017 and the remainder was presented in the FY 2018 CIP, staff wanted to make the Town Council aware of the changes.

MOTION(S):

“I move that the Town Council approve moving forward with the CIP project Nature Park Wells & PLC Upgrades and authorize the Town Manager to transfer funds within the water enterprise fund in the amount of \$107,066 to be used in FY2017.”

ATTACHMENT(S):

1. Nature Park Wells & PLC Upgrades CIP detail sheet.

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TITLE: Nature Park Wells & PLC Upgrades (599-4094531)

STATUS: Ongoing

PROJECT RANKING: N/A

PROGRAM DESCRIPTION: This project includes connecting the two drilled wells in Nature Park to the existing treatment facility. In addition, the Program Logistic Controllers provide essential automated controls that allow our wells to run up to 24 hours a day without the need to have staff on site will be upgraded.

OPERATING IMPACT: Will require annual calibration and software upgrades in the future.

GOAL ADDRESSED: 2025 Comprehensive Plan

- Public Utilities and Transportation - Purcellville will set the regional standard for effective, integrated utility planning and growth management. Water and sewer facilities will be planned and designed to appropriately address desired future land use patterns.
- Public Services - Purcellville will provide its citizens with the highest quality public services and facilities to effectively and equitably meet the public needs.



Significant Dates

Engineering/Design Start	Construction Start	Estimated Completion
April 2017	June 2017	July 2017

Capital Improvement Program**Water Fund****TITLE:** Nature Park Wells & PLC Upgrades (599-4094531)**Funding Sources**

Sources	Total Required Project Funding	Funded through 6/30/16	Adopted FY17	Proposed					Total for 5-Yr CIP
				FY18	FY19	FY20	FY21	FY22	
Cash	94,000	-	94,000	-	-	-	-	-	-
Bonds-Cardinal (12)	107,066	-	107,066	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
	201,066	-	201,066	-	-	-	-	-	-

Planned Uses

Uses	Total Project Cost	Expended through 6/30/16	Adopted FY17	Proposed					Total for 5-Yr CIP
				FY18	FY19	FY20	FY21	FY22	
Land/ROW/Legal	-	-	-	-	-	-	-	-	-
Engineering/Design	41,066	-	41,066	-	-	-	-	-	-
Construction	150,000	-	150,000	-	-	-	-	-	-
Professional Services	10,000	-	10,000	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-	-	-	-
	201,066	-	201,066	-	-	-	-	-	-

Operating Impact

Operating/Maintenance	Adopted FY17	Proposed					Total for 5-Yr CIP
		FY18	FY19	FY20	FY21	FY22	
Annual Maintenance	-	1,000	1,000	1,000	1,000	1,000	5,000



STAFF REPORT
ACTION ITEM

Item #13e

SUBJECT: Timber Sales Contract

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Alex Vanegas, CPM, Public Works Director

SUMMARY and RECOMMENDATIONS:

As part of the approved Forestry Management Plan, town staff issued an IFB to obtain bids associated with selective timbering on a portion of the 1,272 acres that the Town owns outside of the corporate limits. Staff received bids and the highest bidder was Blue Triangle Hardwoods. Staff recommends that the Town Council authorize the Town Manager to execute a contract with the vendor for timber sales phase 1.

BACKGROUND:

In accordance with the Forestry Management Plan, staff worked with our consultant to develop a process for selective cutting of the trees on the reservoir property to ensure the sustainability of our valuable natural resource. As part of the timber plan process, the selective cutting was divided into four phases based on location and accessibility. On March 1, 2017, town staff issued an IFB –PW -2017-06 to obtain bids for selective cutting on one of the tracts of land near Cooper Springs or the northern most parcel of the Reservoir property. The bids closed on March 17, 2017 at 2 pm. The town received two bids for phase 1. The first bid was from Allegheny Wood Products in the amount \$176,065. The second bid and highest was from Blue Triangle Hardwoods in the amount of \$205,522.25. Based on a review of their references, staff recommends that we proceed with Blue Triangle Hardwoods to conduct the selective cut activities at the northern parcel identified in light green on the map below.

Bid Opening March 17, 2017 2:00 PM
Showing: March 3, 2017 10:00 AM

Meet here for showing

Possible additional sale areas in yellow, blue and brown

ISSUES:

Due to the easement that provides access to this portion of the town property, staff reached out to the adjacent property owners regarding the forthcoming selective cut project. Once we have an executed contract, we will conduct a pre-harvesting meeting with our consultant and vendor to indicate the various parameters associated with the Town's requirements for timbering at that respective location.

For future sales of timber, in particular Phases 3 & 4 (blue and light brown), special accommodations will need to be made to provide access to these parcels.

BUDGET IMPACT:

The awarding of this contract will have a positive variance of the revenue side of the water enterprise fund for this fiscal years 17/18 and 18/19. In the event that the Town Council desires to continue with the other phases, we will have the opportunity to experience an increase in revenues within the water enterprise fund over the next 3-5 years.

MOTION(S):

"I move that the Town Council approve awarding the contract for timber sales in Phase I and authorize the Town Manager to execute a contract with Blue Triangle Hardwoods in the amount of \$205,522.25."

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STAFF REPORT
ACTION ITEM

Item #13.f.

SUBJECT: Formation of Town Council Subcommittee to Recommend a Policy concerning Recreational Access to the Town's Reservoir Property

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Sally Hankins, Town Attorney

SUMMARY and RECOMMENDATIONS:

At Town Council's regular meeting on March 14, 2017, Mayor Fraser indicated that he would like to form a Town Council subcommittee to: (i) examine issues related to recreational access to the Town's 1,200+ acre reservoir property, and (ii) recommend a recreational access policy to Town Council as a whole. He requested that the Town Attorney return to Town Council at its meeting on April 11, 2017, to provide advice on forming such a subcommittee.

BACKGROUND:

Authority to Appoint Subcommittee

Town Code Section 2-65 provides:

All members of special committees of the Council shall, unless otherwise ordered, be appointed by the mayor.

While not defined in the Town Code, a "special committee" is a committee established for a special purpose, such as to perform a particular study or investigation. A Special Committee automatically ceases to exist once that special purpose is fulfilled. According to Robert's Rules, a special committee to investigate and report upon a subject should consist of representative members on both sides of the question, so that both parties in the assembly may have confidence in the report in case there is disagreement. <http://www.rulesonline.com/rror-05.htm#32>

Strict Interpretation of Town Code §2-65

The Town Code language in Section 2-65 does not distinguish between the formation of a committee and the appointment of members to a committee. A conservative/strict reading of the language would lead one to conclude that the Town Council must agree as a body to form the special committee and, once so agreed, the Mayor may appoint its members.

Liberal Interpretation of Town Code §2-65

A more liberal reading of the language would lead one to conclude that the mayor is authorized to both form the special committee, and appoint its members.

Town Attorney's Opinion

A reading of Robert's Rules leads me to conclude that the more liberal reading of Town Code Section 2-65 is the more accurate reading, but Town Council can adopt either approach.

ISSUES:

1. According to Robert's Rules, a special committee to investigate and report upon a subject should consist of representative members on both sides of the question, so that both parties in the assembly may have confidence in the report in case there is disagreement. <http://www.rulesonline.com/rror-05.htm#32>
2. Access to the reservoir has been a topic of public discussion over the years. Staff can assist the subcommittee in gathering relevant documents, as requested.

BUDGET IMPACT:

None

See Following Page for Motions

ALTERNATIVE MOTIONS:

1. *Special Committee is formed by Town Council as a whole; Members are then appointed by the Mayor.*

If the Town Council adopts the stricter reading of the Town Code such that special committees are to be formed by the Council as a whole, with members then appointed by the Mayor, the motion would be:

"I move that Town Council form a special committee known as the Watershed Access Committee to study and recommend an equitable policy for access to the Town of Purcellville reservoir and watershed property consisting of approximately 1,272 acres." [vote]

AND then the Mayor would announce:

"Pursuant to Town Code Section 2-65, I am appointing _____ [names of individuals] to the Watershed Access Committee, with _____ [name] to act as the committee Chair unless otherwise decided upon by a vote of the committee."

OR

2. *The Mayor both forms the Special Committee and appoints its members*

If the Town Council adopts the more liberal reading of the Town Code such that the Mayor alone forms and appoints special committees, then the Mayor would announce:

"Pursuant to Town Code Section 2-65, I am forming a special committee to be known as the Watershed Access Committee for the purpose of studying and recommending an equitable policy for access to the Town of Purcellville reservoir and watershed property consisting of approximately 1,272 acres, and I am appointing _____ [names of individuals] to the Committee, with _____ [name] to act as the committee Chair unless otherwise decided upon by a vote of the committee."

REFERENCES:

Robert's Rules OnLine:

1. "When a committee is properly selected, in nine cases out of ten its action decides that of the assembly. A committee for *action* should be small, and consist only of those heartily in favor of the proposed action. If one not in sympathy with it is appointed, he should ask to be excused. A committee for deliberation or investigation, on the contrary, should be large, and represent all parties in the assembly, so that its opinion will carry with it as great weight as possible. The usefulness of the committee will be greatly impaired if any important faction of the assembly is unrepresented on the committee. The appointment of a committee is fully explained in 32." <http://www.rulesonline.com/rror-09.htm>
2. When he appoints the committee no vote is taken, but he must announce the names of the committee to the assembly, and until such announcement is made the committee cannot act. If it is desired to permit the chair to appoint a committee after adjournment, it must be authorized by a vote. The power to appoint a committee carries with it the power to appoint its chairman and to fill any vacancy that may arise in the committee. The resignation of a member of a committee should be addressed to the appointing power. <http://www.rulesonline.com/rror-05.htm#32>
3. If the appointing power does not designate a chairman of the committee, the member first named acts as such unless the committee elects its own chairman. Consequently it is very important that the first named should be an efficient person, especially in a committee for action. <http://www.rulesonline.com/rror-05.htm#32>

ATTACHMENT(S):

None.



STAFF REPORT
DICSUSSION ITEM

Item #14

SUBJECT: Request for Proposed Future Presentation/Proclamation –
Monarch Mayor’s Pledge

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Diana Hays, Town Clerk/Project Manager

SUMMARY and RECOMMENDATIONS:

Attached is the background information provided by Council member Bledsoe pertaining to this item for review and discussion by Town Council.

Hays, Diana

Subject: FW: Draft Agenda - April 11, 2017
Attachments: Mayors' Monarch Pledge proposal

From: Bledsoe, Chris
Sent: Wednesday, April 5, 2017 8:47 AM
To: Hays, Diana <dhays@purcellvilleva.gov>; Jimmerson, Karen <kjimmerson@purcellvilleva.gov>; Ogelman, Nedim <nogelman@purcellvilleva.gov>; Grim, Kelli <kggrim@purcellvilleva.gov>; Cool, Ryan <rcool@purcellvilleva.gov>; Bledsoe, Chris <cbledsoe@purcellvilleva.gov>; McCollum, Doug <dmccollum@purcellvilleva.gov>
Cc: Fraser, Kwasi <kfraser@purcellvilleva.gov>; Lohr, Rob <rlohr@purcellvilleva.gov>; Davis, Daniel <dcdavis@purcellvilleva.gov>; Hankins, Sally <shankins@purcellvilleva.gov>
Subject: RE: Draft Agenda - April 11, 2017

Mayor,

I would like to add an item under #14 regarding a proposed future presentation. For discussion next Tuesday, with the hope we can make the presentation/proclamation by the 2nd meeting (April 25). This is for the Monarch Mayor's Pledge, which is a proclamation we previously shared by email. I believe there was consensus that the bar is pretty low to fulfill the terms of this pledge and more details are in the attached email and the attachment within that email.

Let me know if you have any questions – or we can discuss next Tuesday.

Thanks,

Chris

Chris Bledsoe
Council Member
Town of Purcellville
703.728.3377
cbledsoe@purcellvilleva.gov
<http://www.purcellvilleva.gov>

Hays, Diana

From: Bledsoe, Chris
Sent: Monday, January 30, 2017 3:31 PM
To: Eamon Coy - Personal
Cc: Cool, Ryan
Subject: Mayors' Monarch Pledge proposal
Attachments: Mayors Monarch Pledge.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Eamon,

I was approached by Nicole Hamilton of the Loudoun Wildlife Conservancy to discuss Purcellville's possible interest in joining a nationwide program that supports Monarch butterflies. As this would most closely align with the mission of PRAB, I wanted to determine if your committee would be in support of this and discuss any concerns you may have. I'm also happy to introduce Nicole to you and see if she could attend an upcoming PRAB meeting.

As you know, Monarch Butterflies are severely threatened, with rapidly declining numbers. LWC and the National Wildlife Federation have a national campaign to raise awareness and take specific actions to help turn this trend around. LWC has worked with Dominion Power and VDOT to kick start programs such as establishing butterfly gardens and milkweed patches in rights-of-way all over the state.

The attached document is an excerpt from the program's website that outlines the choices that Purcellville has for participation in the program. In my view, Purcellville could easily fulfill the minimum requirements of meeting three of the stated criteria – and those would only have to be met over the course of a year. The costs would be minimal and the labor effort would be small as well, depending on which criteria Purcellville chose to implement. I think you will come to the same conclusion after reviewing the attached. I'm fairly confident that LWC and The Nature Generation would be willing to support any efforts, including event organization if we desired to do that.

We have ample unused land between the WWTP, Case Farm, and Short Hill, in addition to the Susan Kane park property. I think this is a great cause that we can get behind and rally the community, including our local schools and scout troops.

Please let me know your thoughts. Ideally, I'd like to propose this to the Mayor and Council. If you agree that the bar is low enough to not impose undue burden on your or other town resources, I think we can carry this forward to the Mayor (who is aware of this) and add the proclamation to an upcoming Council meeting.

Have a great day, looking forward to talking with you soon.

Chris

Chris Bledsoe, CPC, PMP
Council Member
Economic Development Advisor
Town of Purcellville
703.728.3377



Mayors and local government chief executives who have taken the Mayors' Monarch Pledge must commit to implement **at least three** of the 25 following action items within a year of taking the pledge. At least one action must be taken from the "Program & Demonstration Gardens" section. Mayors' and local government chief executives taking more than eight actions will receive special recognition as part of the National Wildlife Federation's Mayors' Monarch Leadership Circle. NWF will follow up with all mayoral points of contact with a quarterly survey (1/1, 4/1, 7/1, 10/1) to monitor progress. Please visit www.nwf.org/mayorsmonarchpledge to take the pledge and access resources.

Communications & Convening

Check any specific actions you plan to take in the next year.

- ☐ Issue a Proclamation to raise awareness about the decline of the monarch butterfly and the species' need for habitat.
- ☐ Launch a public communication effort to encourage citizens to plant monarch gardens at their homes or in their neighborhoods.
- ☐ Communicate with community garden groups and urge them to plant native milkweeds and nectar-producing plants.
- ☐ Convene city park and public works department staff and identify opportunities for revised mowing programs and milkweed / native nectar plant planting programs.
- ☐ Convene a meeting with gardening leaders in the community to discuss partnerships to support monarch butterfly conservation.

Program & Demonstration Gardens *

Check any specific actions you plan to take in the next year. You must select at least one action from this section.

- ☐ Host or support a native plant sale or milkweed seed giveaway event.
- ☐ Facilitate or support a milkweed seed collection and propagation effort.
- ☐ Plant a monarch-friendly demonstration garden at City Hall or another prominent location.
- ☐ Convert abandoned lots to monarch habitat.
- ☐ Plant milkweed and native nectar plants in medians and public rights-of-way.
- ☐ Launch a program to plant native milkweeds and nectar plants in school gardens by engaging students, teachers and the community.
- ☐ Earn recognition for being a wildlife-friendly city by expanding your action plan to include other wildlife and habitat conservation efforts through a program like the NWF Community Wildlife Habitat program
- ☐ Create a monarch neighborhood challenge to engage neighborhoods and homeowners' associations within the city to create habitat for the monarch butterfly.
- ☐ Initiate or support citizen-science efforts that help monitor monarch migration and health.
- ☐ Add milkweed and nectar producing plants in community gardens.
- ☐ Expand invasive species removal programs to make it possible to re-establish native milkweed and nectar plants to the landscape.
- ☐ Host or support a city monarch butterfly festival.

Systems Change

Check any specific actions you plan to take in the next year.

- ☐ Remove milkweed from the list of noxious plants in city weed / landscaping ordinances (if applicable).
 - ☐ Change weed or mowing ordinances to allow for native prairie and plant habitats.
 - ☐ Increase the percentage of native plants, shrubs and trees that must be used in city landscaping ordinances and encourage use of milkweed where appropriate.
 - ☐ Direct city property managers to consider the use of native milkweed and nectar plants at city properties where appropriate.
 - ☐ Integrate monarch butterfly conservation into the city's Park Master Plan, Sustainability Plan, Climate Resiliency Plan or other city plans.
 - ☐ Change landscape ordinances to support integrated pest management and reduced use of pesticides and insecticides.
 - ☐ Adopt pesticide practices that are not harmful to pollinators.
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STAFF REPORT
ACTION ITEM

Item #15

SUBJECT: Approval of Meeting Minutes

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Diana Hays, Town Clerk/Project Manager

SUMMARY and RECOMMENDATIONS:

Attached are the meeting minutes from the March 22, 2017 Town Council Special Meeting/Budget Work Session and the March 28, 2017 Town Council Regular Meeting for review and approval by Town Council.

MOTION(S):

"I move that we approve the minutes of March 22, 2017 Town Council Special Meeting/Budget Work Session and the March 28, 2017 Town Council Regular Meeting and waive reading."

ATTACHMENT(S):

1. March 22, 2017 Town Council Special Meeting/Budget Work Session
2. March 30, 2017 Town Council Regular Meeting

**MINUTES
PURCELLVILLE TOWN COUNCIL SPECIAL MEETING
BUDGET PRESENTATION
MARCH 22, 2017, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The special meeting of the Purcellville Town Council convened at 7:00 PM in Council Chambers with the following in attendance:

PRESENT: Kwasi Fraser, Mayor
Karen Jimmerson, Vice Mayor
Doug McCollum, Council member
Kelli Grim, Council member
Nedim Ogelman, Council member
Ryan Cool, Council member

ABSENT: Chris Bledsoe, Council member

STAFF: Robert W. Lohr, Jr. Town Manager
Danny Davis, Assistant Town Manager
Liz Krens, Director of Finance
Hooper McCann, Director of Administration
Paul Hicks, Accounting Manager
Tom Angus, Budget Specialist
Diana Hays, Town Clerk/Project Manager

CALL TO ORDER OF SPECIAL MEETING:

Mayor Fraser called the special meeting to order at 7:00 PM. The Pledge of Allegiance followed.

PRESENTATION OF FY 2018 BUDGET:

Rob Lohr presented the proposed FY 2018 budget. A copy of the presentation can be found on the Town's website and is on file in the Clerk's office.

REVIEW OF UPCOMING BUDGET SCHEDULE:

Rob Lohr stated that the first budget work session is scheduled for Thursday, March 30th followed by meetings on April 4th and April 19th and that Council has until June 30th per state law to adopt the budget.

Council had no comments on the proposed schedule.

DISCUSSION OF BUDGET REVIEW PROCESS:

Mayor Fraser stated that he sent by email a framework that will be used for the budget review process. Mayor Fraser added that each meeting would be dedicated to different funds. Mayor Fraser stated that the process would be that each Council member would review the budget document and provide questions to Rob Lohr and team so that there is one avenue to present questions and concerns for feedback. The questions and responses would be tracked in a spreadsheet available to Council members.

Danny Davis suggested that when questions are submitted that Town Council be copied on the email so that they can see the questions being submitted.

Rob Lohr added that per Council's request, an Excel version of the document has been emailed so that Council can see different scenarios.

QUESTIONS AND FEEDBACK FROM TOWN COUNCIL:

Council member Grim reminded Council of FOIA guidelines and that Council does not communicate to each other. Council member Grim requested that the document be accessible to the public. Danny Davis stated that the information in the spreadsheet mirrors what is in the proposed budget and that the excel document is working document for Council and staff. Council member Grim clarified that the document as it stands for each meeting should be available to the public.

Council member Cool asked about the spreadsheet being made available to the public. Mayor Fraser stated it could be placed on the website. Further discussion took place about the public's ability to present budget concerns.

Danny Davis stated that at purcellvilleva.gov/budget, all documents related to budget discussions over the months will be on that website, including the spreadsheet.

Council member Ogelman stated there is a difference between what Danny Davis has described and what Council member Cool described and in that one says the information is out there and one appeals to the public for their input. Council member Ogleman stated that he feels that what Council member Cool is describing is what needs to be done and to use Community Voice and other items so that the public weighs in. Mayor Fraser recommended that the document be labeled "Budget Worksheet" on the website and that Town Council promote the information.

Council member Cool encouraged Council to be bold and feels that the most important thing would be to remove yourself and politics out of it and to think about the resident's money. Council member Cool stated that rather than rubber-stamping to get down to detail.

Council member Ogelman stated that while walking the streets had heard that residents want to slow growth and they want low taxes and rates. Council member Ogelman added that this

translates to three things for him to include tackling the debt, finding efficiencies including the right size for the Town's government, and manage expectations from citizens and from the government.

Council member Grim suggested that Council go back each year when the budget meetings were held to understand the history.

Liz Krens explained the year-round budget process.

Mayor Fraser stated that he will not stick to the status quo and that when reviewing it will be different and look for opportunities to expand the green box and to how to become more creative by being fiscally responsible for the citizen's money.

ADJOURNMENT:

With no further business, Council member Grim made a motion to adjourn the meeting at 9:30 PM. The motion was seconded by Vice Mayor Jimmerson and passed with one absent.

Kwasi A. Fraser, Mayor

Diana Hays, Clerk of Council

**MINUTES
PURCELLVILLE TOWN COUNCIL MEETING
MARCH 28, 2017, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

The regular meeting of the Purcellville Town Council convened at 7:00 PM in Council Chambers with the following in attendance:

PRESENT: Kwasi Fraser, Mayor
Karen Jimmerson, Vice Mayor
Kelli Grim, Council member
Chris Bledsoe, Council member
Doug McCollum, Council member
Ryan Cool, Council member

ABSENT: Nedim Ogelman, Council member

STAFF: Robert Lohr, Jr., Town Manager
Danny Davis, Assistant Town Manager
Sally Hankins, Town Attorney
Alex Vanegas, Director of Public Works
Liz Krens, Director of Finance
Lt. Joe Schroeck, Police Dept.
Daniel Galindo, Senior Planner
Diana Hays, Town Clerk/Project Manager

CALL TO ORDER OF REGULAR MEETING:

Mayor Fraser called the regular meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS/APPROVAL:

Council member Grim requested to add as a Discussion Item the issue about HR Attorney questions from Town Council. Council member Grim stated the purpose of the item is for Council to understand how questions can be asked directly to the HR Attorney that is on retainer with the Town.

Sally Hankins requested that for consistency under policy that a vote be taken to add an item to the agenda.

The motion was seconded by Vice Mayor Jimmerson.

Motion:	Council member Grim
Second:	Vice Mayor Jimmerson
Carried:	5-1-1 Absent

McCollum: Nay
Grim: Aye
Jimmerson: Aye
Cool: Aye
Bledsoe: Aye
Mayor: Aye

PROCLAMATIONS/RECOGNITIONS:

None

PUBLIC HEARINGS:

None

PRESENTATIONS:

None

CITIZEN AND BUSINESS COMMENTS:

Bill Ruscitella, 929 Queenscliff Court, came forward on behalf of the Purcellville Cannons and talked about the record-setting attendance in Purcellville in 2016. Mr. Ruscitella stated they are a 501c3, the Town's baseball team, and cannot operate without volunteers and talked about the expenses associated with the team. Mr. Ruscitella invited Council to the Cannons annual fundraising event on Friday, March 31st at the Bush Tabernacle.

MAYOR AND COUNCIL COMMENTS:

Council member Cool had no comments.

Council member Bledsoe had no comments.

Council member McCollum stated members of Council and the Town Attorney attended the program hosted by Leesburg on FOIA, COIA and Robert's Rules of Order. Council member McCollum added that the Town was named a Tree City USA by the Arbor Foundation. Council member McCollum thanked Council member Bledsoe and the EDAC for the ad congratulating the Purcellville businesses that were designated as *Best of Loudoun for 2017*. Council member McCollum noted that the Purcellville Arts Council and Discover Purcellville are organizing a painted benches and planters program for the spring with cash prizes awarded based on public votes. Council member McCollum added that the NVRC met last week and retained Bob Lazaro as the Executive Director. Council member McCollum added that two speakers updated the group on the vehicle charging infrastructure and zoning efforts nationally and in Northern Virginia. Council member McCollum added that there was a spokesman from COG that said Virginia will be able share a portion of the \$1.2 billion for electric vehicle

charging infrastructure. Council member McCollum thanked Public Works for the performance award for drinking water.

Council member Grim announced that the American Legion is holding their “Raise the Roof” steak dinner on Saturday to raise money for their deck expansion and roof project. Council member Grim stated she was elected to do the business of the people and does not like it when untruthful things are leaked or in the press. Council member Grim clarified that when someone alleged to have said something and there are witnesses, she is concerned. Council member Grim requested that someone write her a ticket because she had been handed a dash cam video that shows she ran a stop sign and was speeding, then a ticket should be written and it not be held onto for over a month. Council member Grim added that the speeding ticket might not need written because the dash cams in the police cars are not hooked to radar, so the person speeding was the officer and added the blue van was seen from the side. Council member Grim added that there are no identifying factors and if she is to be accused of something that is being held as evidence then she requested the ticket and to have her day in court. Council member Grim requested that Rob Lohr facilitate and that this take care of impugning her reputation and would assume that the rumors in the press are quelled while she hopes there is still a pending investigation.

Vice Mayor Jimmerson stated that the cleanup day was the biggest yet and thanked Adam Broshkevitch for his work on this project. Vice Mayor Jimmerson stated that on March 16th that she and the Mayor attended Nathan Weslow’s Eagle Court. Vice Mayor Jimmerson added that on March 17th she and the Mayor met with representatives from the American Legion to discuss their baseball tournament that will return to Fireman’s Field, and thanked the Town of Leesburg for hosting FOIA training. Vice Mayor Jimmerson thanked Rob Lohr for the budget presentation, and stated that the lease with Makersmiths has been signed. Vice Mayor Jimmerson added that she wrote a letter to the Board of Supervisors, Catocin and Blue Ridge Planning Commissioners and Ricky Parker with the Loudoun County Planning Dept. regarding the rural commercial zoning district proposal changes that would possibly down zone residential zoning in the RC district. Vice Mayor Jimmerson stated the TESC (Tree and Environment Sustainability Committee) held their first meeting.

Mayor Fraser stated on March 3rd he met with the owner of Dragon Hopps and talked about the 500,000 gallons per day of influent water and that the owner is willing to be a pilot customer for his hopps farm. Mayor Fraser stated he met with Senator Black and members of the veteran community to discuss the viability of a veteran clinic in Purcellville. Mayor Fraser stated he spoke with students and teachers from Poland, Panama, China and Hungary at Woodgrove High School.

DISCUSSION/INFORMATIONAL ITEMS:

a. Public Safety Reports

i. Purcellville Volunteer Rescue Squad

No report.

ii. Purcellville Volunteer Fire Company

No report.

iii. Purcellville Police Citizens Support Team

No verbal report.

iv. Purcellville Police Department

Lt. Schroeck introduced the report in the supplemental agenda and noted they are still working on the format and information in the report.

Council member Grim asked about the Detective position and if the Business Manager position is open. Lt. Schroeck stated there is no Detective position and that the Business Manager conducts background investigations in that capacity. Lt. Schroeck stated that Cpl. Costello will be retiring in April and that there are two currently in the police academy that will be graduating in June. Council member Grim asked if the police department has an unmarked car. Lt. Schroeck stated that the department has three unmarked vehicles. Council member Grim requested that the next report include a breakdown of what officer initiated calls are.

b. Public Works Monthly Operations Report

Alex Vanegas introduced the report. Council had no questions or comments.

c. Economic Development Update

Dan Galindo introduced the report. Council had no questions or comments.

d. EDAC Sponsored Race and Oktoberfest

Danny Davis stated that he and Council member Bledsoe met with Philip Message and Christie Morgan and have discussed the potential joint partnership of a 5k race and Oktoberfest. Mr. Davis added that is their preference to hold the event on a Sunday morning starting with the race and then the event which would be run by Philip Message. A copy of the proposed map for the race was distributed. Discussion took place about the proceeds going to support the Teen Center and guidance was requested from Council on a partnership with the race, that a Sunday would be acceptable and to approve Potomac River Running and the deposit.

Mayor Fraser stated he would like to see the specifics of the Oktoberfest to include time what to expect as a citizen. Danny Davis summarized that it may start at 11:00 AM for those that participated in the race and that it would be held in Dillon's Woods with music and vendors, free admission, and those who ran the race would receive tasting tickets with additional tickets available for purchase.

Council member Bledsoe added that this would be a family event with activities and games for children.

Council member Cool stated he supports the events and should confirm them, and that the details concerning the distribution of funds could be discussed at a later time.

Council member Grim stated she agreed that the event should be on a Sunday and not to interfere with the Town-wide tag/treasure sale.

Mayor Fraser stated he sees this as a possible source for funding sports grants and agreed to move forward with this race and event with allocation of funds to be discussed at a later date.

e. SUP17-01 O'Toole Property Assisted Living Facility – Notice of Application

Dan Galindo stated that the purpose of the item is to inform Council and the public that the application has been accepted and that items not included with the agenda have been posted on the website. Mr. Galindo confirmed via a question from Council member Grim that this is in addition to the requested hotel, etc. Council member Grim asked if there would be an updated water report. Mr. Davis stated that the study is not a requirement of the rezoning process but that Public Works typically requests this. Alex Vanegas clarified that once the applicant knows what they will put on the property, Public Works requests that they provide the numbers so the Town can do a water model and a sewer model to verify if the proposal would work.

Vice Mayor Jimmerson talked about concerns with multiple applications with similar development.

Council member Bledsoe asked if the applicant has held any public meetings. Mr. Galindo stated that the applicant has mentioned this is something they want to do prior to a public hearing and expects this to take place in April or May. Council member Cool added that proper planning is important. Council member McCollum asked about an informational meeting at Town Hall similar to Catoctin Corner so the public can see the proposal. Dan Galindo stated he believes the developer has plans to do something outside of Town Hall. Council member McCollum asked that if the O'Toole property is included in the comprehensive plan review and Dan Galindo confirmed that it is. Further discussion took place about the use of the property.

f. Pullen Property Playground Proposal

Council member Cool stated he has not received information from the Parks and Recreation Advisory Board as they are currently working on the Music and Arts Festival. Council member Cool stated that the PRAB believes that in order for the Town to have an identity that it should have a playground. Council member Cool provided information pertaining to the tear down and cleanup of the house as well as the installation, insurance and maintenance for the playground. Council member Cool requested that this action remain open for the PRAB to

propose a solution and to add to the April 25th meeting agenda the solutions and potential opportunities for selling it.

Council member McCollum asked if the Council and the Town consider the building to have any historic significance, and if so, asked that the PRAB and Council to consider making it a visitor center.

**g. Consolidation of Tax Billing and Collections with Loudoun County
Treasurer's Office**

Danny Davis noted that the County provides all assessment activities for the County as of January 1st of each year then forwards the information to the Town. Mr. Davis stated that the Town of Leesburg approached Town's in the County about potentially consolidating the billing and collections activities for real estate, personal property, business personal property and the decal license fee for vehicles. Danny Davis noted the different due dates for County and Town taxes. Mr. Davis stated that all taxes would be paid on one bill to the County with separate lines noting County tax and Town tax. The funds would then be sent to the Town, however the Town's tax due dates would have to change to match the County's. Mr. Davis added that the Town would still be responsible for delinquent collections and the Tyler Munis module would be needed through 2024. Danny Davis added that the Treasurer has proposed that for the cost of this would hold a 1% retainage fee which would be approximately \$33,500 in FY 2018. In addition, the Town would be required to put in upfront costs to the system to help with their programming requirements. Mr. Davis added that the County is looking for feedback from the Town's as to their level of interest and that Leesburg, Round Hill and Lovettsville are in support of this while Hamilton has decided not to participate.

Mayor Fraser requested a comparison matrix from the County as to the value proposition of this to the Town. Danny Davis added that the initiative was the Town's as they see it as a value to use County resources. Rob Lohr added that this item was initiated at a Manager's quarterly meeting and wanting to explore the benefits. Mr. Lohr added that staff can provide information on the cost, savings, County profit, and the Town's possible losses. Mayor Fraser clarified his request to include a matrix from staff to include the benefits.

Vice Mayor Jimmerson expressed concerns for the lack of customer service that would be provided as compared to the current process.

Council member Bledsoe requested in the matrix that an estimated cost of labor savings that could be redirected to other work. Council member Bledsoe also referenced the \$50,000 for the cost of the module, license fee, implementation cost and maintenance support cost which would not be needed after 2024 and would like to know what that amount is and where the savings come in to add to the additional savings. Council member Bledsoe added that he sees the upfront cost as \$15,000 which is the Town's share of the \$200,000 County expense as well as an annual cost of \$33,500 with an annual savings to the Town in terms of mailing and processing of approximately \$13,000 which nets that the Town would spend more money to participate in the program. Council member Bledsoe talked about the benefits of having a local

source, and requested to see the over the next ten years the expenses and savings in a chart and also an explanation of the risks to the Town in participating.

Council member Grim talked about finding out how this affects citizens as well as the cost, how many citizens walk in to pay, and that she is not opposed to the County streamlining the process.

Council member Cool talked about the possibility of a high collection rate.

Danny Davis stated that the matrix would be brought back to the next meeting.

h. Financial Software System Upgrade Project: Status Update

Danny Davis stated that the implementation of the tax revenue module is currently in progress and the purpose of that module is to collect real estate and personal property taxes. Mr. Davis noted that the distribution of bills from the new system is on schedule as of now.

Danny Davis stated that the next module is core financials which would start in April and take approximately eight months to implement, and that the module includes all finances, budget information, accounts payable and receivable and procurement. After the core financials Mr. Davis stated that the next module would be the business license module which is less complex followed by HR/Payroll implementation and utility billing and the citizen self-service service piece.

Danny Davis added that existing data from the existing tax system would not carry over as the current system is difficult to get good data from.

Mayor Fraser asked that if in two years the software would become obsolete. Mr. Davis stated he does not believe so, and Mr. Lohr talked about other jurisdictions using the same software that can be upgraded and configured to the Town's needs. Council member Cool requested as part of the regular update that when this gets to an upgrade from Munis to know what it does to the Town's implementation and software and any impacts.

i. OA16-05 - Zoning Ordinance Text Amendment to Reduce Maximum Building Heights in the C-4 District

Dan Galindo stated that in October 2016, Town Council initiated three amendments as part of Resolution 16-10-02 and that this is the first of the amendments that is ready for a public hearing. Mr. Galindo stated that part of language directed the Planning Commission to present its recommendations to Council prior to holding the public hearing. Mr. Galindo added that Commissioner Paciulli presented this at the Planning Commission's March 16th meeting, approved to move forward and has been provided to Council. Mr. Galindo added that the Chairman requested that staff look into whether the changes would make any buildings non-conforming and Patrick Sullivan had noted that the Vineyard Square site plan could potentially become non-conforming if it were to be built. Mr. Galindo added that the Planning Commission did not look in detail the effect of the proposal to limit the height of buildings that are within a

certain distance of residential districts but that this would be reviewed before the Planning Commission public hearing. Mr. Galindo stated that the goal is to provide the best policy and to look for potential ways to improve upon the language.

Council member Grim stated she feels the 200' of any residential district should not exceed two stories and that thirty feet is correct, and feels the public hearings will state that this is what the residents would like to see.

Council member McCollum asked about Trails End and Magnolia's being non-conforming and Daniel Galindo stated that Commissioner Stinnette looked into this and that it appears they are under the 45 feet requirement and should not be an issue. Council member McCollum asked about the three story limit being non-confirming. Mr. Galindo noted the Commissioner's discussed this and based on the design does not feel the building is taller than three stories however this is not currently defined in the ordinance. Dan Galindo confirmed that both requirements must be met or the building would be non-confirming.

Mayor Fraser asked when this item could be finalized. Mr. Galindo stated he was to speak with the Chairman the next day to discuss Council's comments and would likely schedule it for the Planning Commission's second meeting in April for their Public Hearing and then to Council potentially for the second meeting in May.

j. Sewer Backup Policy

Alex Vanegas stated that the Town Attorney had located an old policy and after further research, there had since been an update to the policy which is more in line with what the Town is trying to do. Alex Vanegas talked about the multiple step process to include having the Backup Policy Statement finalized and then to update the Water Service Line and Sewer Lateral Policy which will also come forward to Council. Mr. Vanegas added that the Sewer Backup Policy makes the Town only responsible for the sewer mains which is consistent with most every other jurisdiction.

Council member Bledsoe asked about the impact to residents and their understanding of what they may be responsible for. Alex Vanegas stated that the motion provided includes educational outreach to the public. Council member Grim talked further about the importance of public outreach.

Vice Mayor Jimmerson made a motion that the Purcellville Town Council adopt the Sewer Backup Policy and Prevention Policy dated March 10, 2017 and direct staff to conduct an educational outreach to inform the public of the Sewer Backup Policy and Prevention Program dated March 10, 2017. The motion was seconded by Council member Cool.

Motion:	Vice Mayor Jimmerson
Second:	Council member Cool
Carried:	6-0-1 Absent

Cool - Aye

Bledsoe-	Aye
Ogelman -	Absent
McCollum -	Aye
Grim -	Aye
Jimmerson -	Aye
Mayor -	Aye

k. Update on Town Council Communications with the HR Attorney

Council member Grim stated this item was previously discussed and Council wants to be able to ask direct and specific questions that the Town's Attorney does not specialize in. Council member Grim requested that Council put their questions together and forward those to the Council committee by April 5th, and requested that the Town Attorney notify the HR Attorney that the Town Council Evaluation Committee will be forwarding questions and to provide responses to the Council Committee which would then be disbursed to Council.

Council member McCollum stated he thought the questions would be raised to the Town Attorney who would then consolidate the questions and forward to the HR Attorney. Council member McCollum asked about the fee to use the HR Attorney. Sally Hankins stated the HR Attorney charges \$350 per hour under the Town's contract.

Mayor Fraser stated that he agreed that was the process previously proposed and that Council member Grim is proposing a change. Council member McCollum stated he feels this is not a good idea and that the questions should go through the Town Attorney to make sure the questions and answers are worded appropriately.

Council member Bledsoe requested that the proposed policy be in writing and would like to know the next step. Council member Grim stated she is not proposing a policy and is only aware of one attorney on retainer who specifies in the field. Council member Grim asked that Council members who have questions forward those to the committee, and would hope the answers would be back relatively quickly and unfiltered.

Mayor Fraser stated he sees this as a simple request and builds efficiency by not having the Town Attorney who is not experienced with HR matters to be involved and that all questions from Town Council go to the committee of two. The committee would be responsible fiscal stewards and will take the questions, compile them, then forward to the HR Attorney. Sally Hankins clarified that she represents the Town Council and that there is no loss of privilege if she is aware of communications with an outside lawyer. Ms. Hankins added that the response from the HR lawyer needs to go to all Council directly and not to the committee. Council member Grim agreed. Sally Hankins added that she was not proposing any filtering in the email that she sent but proposing a direct transmission and would be aware of what Council is doing and has the authority to do.

Council member Cool stated that questions are due April 4th with one round only. Council member Grim made a motion that the item be moved as an action item. The motion was seconded by Council member Bledsoe.

Motion: Council member Grim
Second: Council member Bledsoe
Carried: 5-1-1 Absent

Cool - Aye
Bledsoe- Aye
Ogelman - Absent
McCollum - Nay
Grim - Aye
Jimmerson - Aye
Mayor - Aye

ACTION ITEMS:

a. Update on Town Council Communications with the HR Attorney

Council member Grim made a motion that the Town Council submit their human resource questions to the committee of Council member Cool and Council member Grim by April 4th at 5:00 PM, first and only round, and those questions will be forwarded directly to the human resource attorney and returned to the Council as a body. The motion was seconded by Council member Cool.

Motion: Council member Grim
Second: Council member Cool
Carried: 5-1-1 Absent

McCollum - Nay
Grim- Aye
Jimmerson - Aye
Cool - Aye
Bledsoe - Aye
Ogelman - Absent
Mayor - Aye

b. Allocation of Proceeds from the Sale of 781 S. 20th Street (Mary's House of Hope)

Rob Lohr introduced the item which Council has taken action on previously during the last budget process to place the proceeds in a holding pattern in General Fund Reserves and added if Council wants to take a different direction, several options have been provided for Council's direction to staff.

Council member Cool stated it is his desire as well as Council member Ogelman's desire that the \$300,000 be put into the Wastewater Fund.

Council member Cool made a motion that Town Council direct staff to complete the following actions:

- 1) Develop a budget amendment that would transfer 100% of the sale proceeds (\$300,000) from the lot and house located at 781 South 20th Street (known as Mary's House of Hope) to the Wastewater Fund.
- 2) Adopt a formal resolution transferring 100% of this previous asset into the Wastewater Fund which is proprietary fund. Under this action, the property will be reclassified 100% Wastewater Fund.

The motion was seconded by Council member Grim.

Motion:	Council member Cool
Second:	Council member Grim
Carried:	5-1-1 Absent

Cool -	Aye
Bledsoe-	Aye
Ogelman -	Absent
McCollum -	Nay
Grim -	Aye
Jimmerson -	Aye
Mayor -	Aye

c. RFI for Fireman's Field

Council member Cool clarified that the rumors about the sale of Fireman's Field are not true. Council member Cool added that he worked with Town staff on the draft RFI incorporating comments received by Council. Council member Cool referenced the clean version and draft version included in the staff report. Council member Cool added that anyone can bid that deems themselves qualified and may respond to all or part of the RFI. Council member Cool added that the RFI does not guarantee an RFP and does not void any current contracts. Council member Cool referenced the distribution list for the RFI assembled by Town staff and requested changes to the list or questions to be discussed and those finalized by the close of business on March 29th so the RFI can go out March 31st.

Council member Grim stated she is concerned with the information due date and feels it is too tight for businesses that may not be on the list as well as it being tax time. Council member Grim suggested it was at least thirty days or even to May 30th.

Vice Mayor Jimmerson suggested the questions be submitted by April 14th with the deadline being May 19th.

Council member McCollum stated he agrees that the RFI does not cancel any contracts but does indicate that the Town has that option. Council member McCollum added that it is implied that the Town reserves the right in the future to take over management and operations of the Tabernacle and picnic pavilion, and talked about it being too unstable to bid on.

Council member Cool stated that this is common for government contracts.

Vice Mayor Jimmerson referenced the Makersmiths lease and the addendum that says the lease can be terminated with a certain amount of notice as well as with the current lease with the Tabernacle.

Council member Cool proposed that questions are due April 21st and a due date of May 16th. Vice Mayor Jimmerson proposed May 19th as the due date and Council member Cool agreed.

Danny Davis stated the winter hours for the Tabernacle were included and would like to add a clause that during summer hours and holidays that they are open from 11:00 AM – 7:00 PM.

Council member Grim made a motion that the Town Council approve the Request for Information for Fireman's Field as shown in Attachment 1 with the following amendments:

- 1) Add the Tabernacle's summer hours;
- 2) Change the submittal questions and clarifications to April 21st
- 3) Change the information due date to May 19th

And authorize staff to authorize this RFI. I further direct staff to work with Mayor Fraser and Council member Cool in reviewing the responses and return to Council as soon as possible with recommended next steps. The motion was seconded by Council member Cool.

Motion:	Council member Grim
Second:	Council member Cool
Carried:	6-0-1 Absent

Cool -	Aye
Bledsoe-	Aye
Ogelman -	Absent
McCollum -	Aye
Grim -	Aye
Jimmerson -	Aye
Mayor -	Aye

d. Wine and Food Festival Ticket Price Options

Danny Davis stated staff is looking for guidance and approval for the pricing structure of tickets for the Wine and Food Festival, and that Council had approved entry fees into the event two years ago which increased last year. Mr. Davis added that staff is proposing an increase to the tickets to \$20 for entry and would offer the discount code for residents for half price tickets if purchased in advance. Mr. Davis noted the proposed increase to the VIP tables.

Council member Grim stated she feels that a fee of \$25 at the gate is reasonable but that \$30 may be difficult. Vice Mayor Jimmerson agreed. Further discussion took place about rates, tiers and the discount code.

Council member McCollum made a motion to direct staff to price tickets for the 2017 Wine and Food Festival at \$20 per ticket for advance sales, \$30 per ticket at the gate, \$350 for VIP tables, and to offer a 50% discount code on advance tickets for Purcellville residents. The motion was seconded by Council member Bledsoe.

Motion: Council member McCollum
Second: Council member Bledsoe
Carried: 5-1-1 Absent

McCollum - Aye
Grim - Nay
Jimmerson - Aye
Bledsoe - Aye
Ogelman - Absent
Mayor - Aye
Cool - Aye

e. Update to Personnel Manual: Whistle Blower Protection

Danny Davis stated that at the last meeting Council voted to direct staff to come back with revisions to the personnel manual to address issues with whistle blower protections. Mr. Davis talked about resources used to come up with the proposed draft language, and added that he has been in touch with Ethical Advocate to move forward.

Mr. Davis confirmed via a question from Council member McCollum that this has been reviewed and is consistent with the Code of Virginia.

Council member Grim asked about riding the contract that the County has with Ethical Advocate as referenced at the last meeting. Danny Davis stated the Town would not need to ride the contract because it is below a certain threshold and it would not need procured.

Council member Grim asked how someone would send an anonymous email through the Town's email. Danny Davis stated that an anonymous email address could be created and an email could be sent to HR. Council member Grim asked if anyone has been directed to pursue or look into the anonymous emails that the Town has received. Rob Lohr stated that there have been questions to the Town Attorney but there has been no directive. Council member Grim asked if retaliation would be pursuing or asking to find out if current employees are the anonymous emailers. Sally Hankins stated she does not believe that would constitute retaliation under the Virginia Code, and that it has not been discussed. Rob Lohr added that it has not been pursued. Council member Grim objected and stated that she has heard from several people that it is being pursued as to who sent the anonymous emails and that management has pursued it. Mr. Lohr stated he feels this has been blown out of proportion and that any inquiry of this type has to go through the Town Manager or Assistant Town Manager and neither have signed any inquiry to look into any anonymous emails.

Mayor Fraser referenced page 90 where it referenced “anonymously to Human Resources” that it be modified to be clear of the intent. Danny Davis noted that not all emails have to be anonymously. Mayor Fraser stated that the resources, the Town’s email and mail system, inherently are not secret, and suggested the statement be deleted. Danny Davis recommended it say “Anonymously to Human Resources” and to delete the reference to email or mail.

Vice Mayor Jimmerson made a motion that the Town Council approve the amendments to the Personnel Manual as described in this item and direct staff to distribute this information to all staff as soon as practical. The motion was seconded by Council member Cool.

Motion: Vice Mayor Jimmerson
Second: Council member Cool
Carried: 6-0-1 Absent

Cool - Aye
Bledsoe- Aye
Ogelman - Absent
McCollum - Aye
Grim - Aye
Jimmerson - Aye
Mayor - Aye

**f. Virginia Commission for the Arts – Local Government Challenge
Matching Grant Recommendations**

Council member McCollum made a motion that the Town Council approve the recommendations made by the Purcellville Arts Council for Virginia Commission for the Arts matching funds grants as noted in the staff report dated March 28, 2017. The motion was seconded by Council member Bledsoe.

Motion: Council member McCollum
Second: Council member Bledsoe
Carried: 6-0-1 Absent

Cool - Aye
Bledsoe- Aye
Ogelman - Absent
McCollum - Aye
Grim - Aye
Jimmerson - Aye
Mayor - Aye

**DISCUSSION OF ITEMS PROPOSED FOR FUTURE PRESENTATIONS/
RECOGNITION:**

- a. Loudoun Valley High School Boys Basketball Team State Champions

The request was approved to recognize the team at the April 25th Council meeting.

APPROVAL OF MINUTES

- a. **March 6, 2017 Town Council Emergency Meeting**
- b. **March 10, 2017 Town Council Special Meeting**
- c. **March 14, 2017 Town Council Regular Meeting**

Vice Mayor Jimmerson made a motion to approve the minutes of the March 6, 2017 Town Council Emergency Meeting, the March 10, 2017 Town Council Special Meeting and the March 14, 2017 Town Council Regular Meeting and waive reading. The motion was seconded by Council member Cool and passed with one absent.

ADJOURNMENT

With no further business, Council member Bledsoe made a motion to adjourn the meeting at 9:46 PM. The motion was seconded by Vice Mayor Jimmerson and carried with one absent.

Kwasi A. Fraser, Mayor

Diana Hays, Clerk of Council

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STAFF REPORT
ACTION ITEM

Item #16

SUBJECT: Closed Meeting

DATE OF MEETING: April 11, 2017

STAFF CONTACTS: Diana Hays, Town Clerk/Project Manager

SUMMARY and RECOMMENDATIONS:

Attached are the motions and resolution pertaining to the closed meeting.

ATTACHMENT(S):

1. Closed Meeting Motions
2. Resolution 17-04-02

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MOTION TO RECESS THE REGULAR MEETING AND CONVENE A CLOSED MEETING

“As authorized under Section 2.2-3711(A)(1) of the Code of Virginia, I move that the Purcellville Town Council convene in a closed meeting to discuss the annual performance evaluation of the Town Manager. The presence of the following individuals is requested to attend the closed meeting:

- 1) All Town Council members
- 2) Robert W. Lohr, Jr., Town Manager
- 3) Sally Hankins, Town Attorney (as requested)

MOTION BY TOWN COUNCIL TO ADJOURN THE CLOSED MEETING AND RECONVENE THE REGULAR MEETING

“I move that the Town Council reconvene in an open meeting and that the minutes reflect no formal action was taken in the closed meeting.”

MOTION THAT THE RESOLUTION CERTIFYING THE CLOSED MEETING BE ADOPTED AND REFLECTED IN THE MINUTES OF THE PUBLIC MEETING

“I move that the Purcellville Town Council adopt Resolution 17-04-02 certifying the closed meeting of April 11, 2017.”

Mayor
Kwasi A. Fraser

Council
Chris Bledsoe
Ryan J. Cool
Kelli Grim
Karen Jimmerson
Douglass J. McCollum
Nedim Ogelman



Town Manager
Robert W. Lohr, Jr.
Assistant Town Manager
Daniel C. Davis

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**TOWN OF PURCELLVILLE
IN
LOUDOUN COUNTY, VIRGINIA**

RESOLUTION NO. 17-04-02

PRESENTED: APRIL 11, 2017
ADOPTED: _____

**A RESOLUTION: CERTIFYING THE CLOSED MEETING ON
APRIL 11, 2017**

WHEREAS, the Town Council of the Town of Purcellville, Virginia, has this day convened a closed meeting in accordance with an affirmative recorded vote of the Purcellville Town Council and in accordance with the Virginia Freedom of Information Act.

NOW, THEREFORE, BE IT RESOLVED that the Purcellville Town Council does hereby certify that to the best of each member's knowledge, i.) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed meeting to which this certification applies; and ii.) only such public business matters as were identified in the motion by which the said closed meeting was convened were heard, discussed or considered by the Purcellville Town Council.

PASSED THIS _____ DAY OF _____, 2017.

Kwasi A. Fraser, Mayor
Town of Purcellville

ATTEST:

Diana Hays, Town Clerk